

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PARK IRMAT DRUG CORP.

Plaintiff,

- vs. -

OPTUMRX, INC.

Defendant.

Index No. 15-cv-08930 (JSR)

**REPLY DECLARATION OF COLLEEN KENNEDY IN FURTHER SUPPORT OF
PLAINTIFF PARK IRMAT DRUG CORP.'S MOTION FOR A TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Colleen Kennedy hereby declares under penalty of perjury:

1. I am the owner of Kennedy Consulting, a company that provides health care consulting services, including services to clients seeking URAC accreditation. I submit this declaration in further support of Plaintiff Park Irmat Drug Corporation's ("Irmat") Motion for a Preliminary Injunction Order with a Temporary Restraining Order prohibiting Defendant OptumRx, Inc. from terminating Irmat during the pendency of this lawsuit. If called and sworn as a witness in this case I could and would testify competently to each and every statement in this declaration, all of which have been made upon my person knowledge.

2. As set forth in my affidavit dated November 10, 2015, submitted in support of Irmat's Motion, I have been retained by Irmat to assist it in securing URAC accreditation for mail order pharmacies. A copy of my *curriculum vitae* is attached to my Affidavit.

3. My Affidavit provided an overview of the URAC accreditation process (*see* Affidavit ¶¶ 5-10), as well as the basis of my determination that Irmat's accreditation process will take no longer than five to six (5-6) months, rather than the typical nine (9) month timeframe

(Affidavit ¶¶ 11-13). I also stated that I have no reason to doubt that Irmat's application for URAC accreditation will be successful. Affidavit ¶ 14. The work that Irmat has done toward obtaining URAC accreditation in the period since I submitted my Affidavit reinforces these conclusions.

4. Since November 10, 2015, Irmat has made substantial progress toward obtaining URAC accreditation.

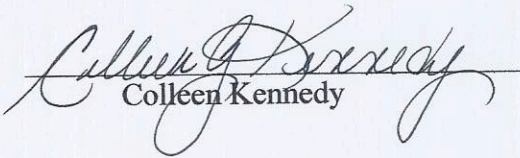
5. Irmat has completed review, approval, and implementation of a significant portion of the policies, procedures and workflows needed to demonstrate compliance with URAC standards. In my opinion, there is a clear commitment on the part of leadership, in terms of prioritizing time and resources needed to complete all of the required documentation for submission of the desktop review, implement all necessary process changes, and prepare for the on site survey.

6. Based upon my experience and my work with Irmat to date, barring any unforeseen delays on the part of URAC, I believe Irmat will successfully complete the URAC accreditation process within the next four to five (4-5) months.

7. In addition, obtaining accreditation as a Verified Internet Pharmacy Practice Site ("VIPPS") generally parallels the URAC accreditation process. I understand that Irmat has assigned an internal resource to take the lead on obtaining VIPPS accreditation, and I have no reason to believe Irmat will not receive it in the same timeframe as URAC accreditation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 1, 2015


Colleen Kennedy